

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.989 OF 2007

State of Maharashtra

...Petitioner

V/s.

Gundappa Sadashiv Mengudale

...Respondent

Mr.Y.S. Shinde APP for the State/Petitioner.

Mr.J. Shekhar i/b. M/s.J. Shekhar & Co. for Respondent No.1.

ALONGWITH

CRIMINAL WRIT PETITION NO.990 OF 2007

State of Maharashtra

...Petitioner

V/s.

Sartaj Ilahi Tamboli & Anr.

...Respondents

Mr.Y.S. Shinde APP for the State/Petitioner.

Mr.Vaibhav Sugdare for Respondent No.1.

CORAM : V.M. KANADE, J.

DATED : 17th SEPTEMBER, 2007.

P.C:-

1. Heard learned APP for the State and learned counsel for Respondent No.1.
2. The State is challenging the judgments and orders passed by the Principal Sessions Judge, Sangli who was pleased to dismiss the revision applications filed by the State and confirmed orders of acquittal passed by

the Trial Court. The Respondents were charged for having committed the offences under the various Sections of Prevention of Food Adulteration Act, 1954. The Trial Court has observed that though period of nine years have passed, the Complainant had not stepped into witness box and therefore, complaint was dismissed. These orders were confirmed by the Sessions Court.

3. I have perused the Roznama as also impugned orders. It does appears that there is inordinate delay on the part of prosecution. Therefore, in my view, the Trial Court had no other option but to dismiss the complaints. There is no infirmity in the orders passed by the Trial Court. Writ Petitions are dismissed in limine and disposed of accordingly.

V.M. KANADE, J.